



**{In Archive} Fw: URGENT - KCH-BMT Draft Environmental Assessment to be released Monday?**

Susan Bromm to: Cynthia Giles-AA, Steven Chester  
Cc: Cliff Rader

12/02/2011 06:04 PM

Archive: This message is being viewed in an archive.

FYI

This message is being sent via Blackberry. Please excuse typos.

----- Original Message -----

From: "Greczmiel, Horst"

EOP/Ex. 6

Sent: 12/02/2011 05:14 PM EST

To: Cliff Rader; "Athas, Ellen"

EOP/Ex. 6; Susan Bromm

Subject: RE: URGENT - KCH-BMT Draft Environmental Assessment to be released Monday?

OST policy tells us that high level DOT-FHWA discussions continue and that as of this morning they are holding off publication. We'll know more next week.

Horst Greczmiel  
Associate Director for NEPA Oversight  
Council on Environmental Quality

EOP/Ex. 6

Please consider the environment before printing this e-mail

-----Original Message-----

From: Rader.Cliff@epamail.epa.gov [  
mailto:Rader.Cliff@epamail.epa.gov]

Sent: Friday, December 02, 2011 4:34 PM

To: Athas, Ellen; Greczmiel, Horst;  
Bromm.Susan@epa.gov

Subject: URGENT - KCH-BMT Draft Environmental Assessment to be released Monday?

----- Forwarded by Jessica Martinsen/R3/USEPA/US on  
12/02/2011 01:39 PM

-----

From: <Jason.Workman@dot.gov>

To: Barbara Okorn/R3/USEPA/US@EPA, Jessica  
Martinsen/R3/USEPA/US@EPA, Barbara

Rudnick/R3/USEPA/US@EPA

Cc: <Gregory.W.Akers@wv.gov>,  
<Alison.M.Rogers@usace.army.mil>

Date: 12/02/2011 12:59 PM

Subject: KCH-BMT Draft Environmental Assessment

Jessica/ Barbara,

I wanted to provide you with an update of the Draft Environmental Assessment for the King Coal Highway, Delbarton to Below Project and Buffalo Mountain Surface Mine Clean Water Act Section 404 Permit Application.

WVDOH intends to make the document available for review and comment on Monday, December 5, 2011. The document will be available on their website ([www.transportation.wv.gov](http://www.transportation.wv.gov)). You should receive notification from WVDOH once the document is uploaded and available. Hard copies will be sent to your agency but we wanted to make it available to you as soon as possible.

Additionally, we appreciate the technical comments you submitted on November 9, 2011 associated with the June 2011 Preliminary Draft EA. These comments were fully considered in preparation of the Draft EA and appropriate revisions were made accordingly. However, per your agency's request via phone conversations and voicemail on November 22, 2011 your specific technical comments on the Preliminary Draft EA were not included in the document.

We look forward to coordinating with you on this important project. As this project advances, please let me know if you have any questions.

Thanks

Jason Workman  
Environmental Protection Specialist  
Federal Highway Administration  
West Virginia Division  
[jason.workman@dot.gov](mailto:jason.workman@dot.gov)  
Phone: (304) 347-5271  
Fax: (304) 347-5103

This message is being sent via Blackberry. Please excuse typos.

**From:** [Gloria.Shepherd@dot.gov]

**Sent:** 10/05/2011 10:31 AM AST

**To:** Cynthia Giles-AA; Jeffrey Lapp; Susan Bromm; <Meg.E.Gaffney-Smith@usace.army.mil>

**Cc:** <gregory.nadeau@dot.gov>; **EOP / Ex. 6** >; <Gerald.Solomon@dot.gov>; <Thomas.Smith@dot.gov>

**Subject:** King Coal Highway - Buffalo Mountain Environmental Clearance Process

As a follow up to our recent discussion at CEQ, and in an effort to advance this Project in a coordinated and collaborative manner, FHWA will host a meeting with EPA and USACE at FHWA Headquarters. The purpose of the meeting will be to review the attached flowchart and timeline associated completion of the Mining Permit Processes and FHWA / WVDOT NEPA Process.

The meeting is scheduled for October 18 at 9:00 am. Field offices of each agency, and others unable to be present at FHWA Headquarters, will be able participate via videoconference.

We will ask our FHWA WV Division to walk through the flow chart, and then open the meeting up for questions and discussion. It is anticipated that the meeting will conclude with an agreement on "next steps" consistent with the schedule set out in the attached.

Please respond to Gerry Solomon with email addresses for attendees from your agency. We will then follow up with the logistics for the videoconference hook-ups.

Thank you.

[attachment "Visio-King Coal Flow Chart Revised 10-4-11.pdf" deleted by Cynthia Giles-AA/DC/USEPA/US]



{In Archive} REVISED King Coal Highway Agenda

Horst\_Greczmiel,  
Jacqueline A Jenkins to: Meg.E.Gaffney-Smith, Ellen\_M.\_Athas,  
Cynthia Giles-AA, Susan Bromm, John  
beth.osborne, gregory.nadeau, Joyce.Curtis, Gerald.Solomon,  
Cc: Thomas.Smith, david.kim, Marlys.Osterhues, mary.frye,  
Gloria.Shepherd

02/02/2012 04:52 PM

Archive: This message is being viewed in an archive.

All,

On Gloria's behalf agenda was updated to include EPA  
Region 3 to the topic "General Update of Project  
Status."

Thank you.

Jacqueline Jenkins  
Program Assistant  
U.S. Department of Transportation  
FHWA - Office of Planning, Environment, and Realty  
1200 New Jersey Avenue, SE.  
Room E76-202  
Washington, DC 20590  
202-366-0116 (O) 202-493-2198 (F)



King Coal Highway Federal Agency MeetingAGENDA2-3-12.docx

**King Coal Highway Federal Agency Meeting  
FHWA – Room E76-124  
Meeting Agenda  
February 3, 2012**

- 8:30 Welcome – Gloria Shepherd
- 8:35 Introductions – All
- 8:45 General Update of Project Status since November 18<sup>th</sup> Video Conference – Gloria Shepherd and Meg Gaffney-Smith
- 9:00 Discussion of Revised Timeline (SEIS) – Tom Smith and Ginger Mullins
- 9:15 NOI and updated Purpose and Need Document; Scoping Process – Jason Workman and Alison Rogers, Huntington USACE
- 9:25 General Discussion and Next Steps – Tom Smith
- 9:30 Adjourn





Archive:

{In Archive} Fw: Feb 3 King Coal Highway Meeting Information

Cynthia Giles -AA to: Steven Chester

01/31/2012 05:15 PM

This message is being viewed in an archive.

Cynthia Giles  
Assistant Administrator  
U.S. EPA, Office of Enforcement and Compliance Assurance  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460  
202-564-2440

THIS MESSAGE IS CONFIDENTIAL and may contain legally privileged information. If you receive it in error, please delete it immediately, do not copy, and notify the sender. Thank you.

----- Forwarded by Cynthia Giles-AA/DC/USEPA/US on 01/31/2012 05:15 PM -----

From: <Gloria.Shepherd@dot.gov>  
To: EOP / Ex. 6 [REDACTED], <Meg.E.Gaffney-Smith@usace.army.mil>, EOP / Ex. 6 [REDACTED], Cynthia Giles-AA/DC/USEPA/US@EPA, Susan Bromm/DC/USEPA/US@EPA, John Pomponio/R3/USEPA/US@EPA, Jeffrey Lapp/R3/USEPA/US@EPA, David Evans/DC/USEPA/US@EPA, Denise Keehner/DC/USEPA/US@EPA, Gregory Peck/DC/USEPA/US@EPA  
Cc: <beth.osborne@dot.gov>, <gregory.nadeau@dot.gov>, <Joyce.Curtis@dot.gov>, <Gerald.Solomon@dot.gov>, <Thomas.Smith@dot.gov>, <david.kim@dot.gov>, <Marlys.Osterhues@dot.gov>, <mary.frye@dot.gov>, <Jacqueline.A.Jenkins@dot.gov>  
Date: 01/31/2012 04:44 PM  
Subject: Feb 3 King Coal Highway Meeting Information

All: Attached is the read-ahead information including the agenda. We look forward to seeing you this Friday.



King Coal Flowchart Revised 1-30-12.pdf



KCH-Buffero\_Mnt\_SEIS\_NOI\_Published.pdf



WV1029690 Consol Buffalo Mt Surface Mine EPA Specific Objection Ltr 1-20-1012.pdf



King Coal Highway Federal Agency MeetingAGENDA2-3-12.docx



{In Archive} RE: King Coal Highway - Buffalo Mountain Environmental Clearance Process

Gloria Shepherd to: Susan Bromm

11/09/2011 02:02 PM

beth.osborne, Cynthia Giles-AA, Meg.E.Gaffney-Smith, david.kim,  
Cc: Gerald.Solomon, gregory.nadeau, Horst\_Greczmiel, Jeffrey Lapp,  
Thomas.Smith, Ellen\_M.\_Athas, Cliff Rader, John Pomponio,

Archive:

This message is being viewed in an archive.

Susan: Thank you for your comments. Below in blue represents the combined responses of the lead agencies. Thank you and we look forward to see you on the 18<sup>th</sup>.

-----Original Message-----

From: Bromm.Susan@epamail.epa.gov [

<mailto:Bromm.Susan@epamail.epa.gov>]

Sent: Tuesday, November 08, 2011 3:05 PM

To: Shepherd, Gloria (FHWA)

Cc: Osborne, Beth (OST); Giles-AA.Cynthia@epamail.epa.gov;

Kim, David (FHWA); Solomon, Gerald (FHWA); Nadeau,

Gregory (FHWA); EOP / Ex. 6

Lapp.Jeffrey@epamail.epa.gov;

Meg.E.Gaffney-Smith@usace.army.mil; Smith, Thomas (FHWA);

Athas, Ellen; Rader.Cliff@epamail.epa.gov;

Pomponio.John@epamail.epa.gov;

Gavin.JamesG@epamail.epa.gov

Subject: RE: King Coal Highway - Buffalo Mountain

Environmental Clearance Process

Gloria,

Thank you for the opportunity to review the updated flowchart - our recommendations are listed below.

Ex. 5 - Deliberative Process

[Redacted content]

[Redacted content]

Ex. 5 - Deliberative Process

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Ex. 5 - Deliberative Process

Thanks,

Susan

From: <Gloria.Shepherd@dot.gov>

To: EOP / Ex. 6, Cynthia

Giles-AA/DC/USEPA/US@EPA, Jeffrey  
Lapp/R3/USEPA/US@EPA,

Susan Bromm/DC/USEPA/US@EPA,

<Meg.E.Gaffney-Smith@usace.army.mil>

Cc: <beth.osborne@dot.gov>,  
<gregory.nadeau@dot.gov>,

<Gerald.Solomon@dot.gov>,  
<Thomas.Smith@dot.gov>,

<david.kim@dot.gov>

Date: 10/20/2011 03:52 PM

Subject: RE: King Coal Highway - Buffalo  
Mountain Environmental

Clearance Process

As a follow up to our meeting earlier this week,

attached is the timeline for advancing the above-named project. We will be sending out soon a proposed date for a follow up meeting for the middle of November.

If you see any information that you think should be revised on the attached chart, do not hesitate to let us know. Thank you and we look forward to advancing this effort. (See attached file: King Coal Flowchart 10-20-11 w Changes Doc.pdf)



**{In Archive} RE: King Coal Highway - Buffalo Mountain Environmental Clearance Process**

**Gloria Shepherd** to: Susan Bromm

10/28/2011 04:58 PM

beth.osborne, Cynthia Giles-AA, david.kim, Gerald.Solomon,  
Cc: gregory.nadeau, Horst\_Greczmiel, Jeffrey Lapp,

Meg.E.Gaffney-Smith, Thomas.Smith, John Pomponio, David Evans,

Archive:

This message is being viewed in an archive.

Susan: Thank you for following up with us. We are pleased to hear that your Regional staffs have made themselves familiar with the project site. We think that first-hand knowledge of this project will be advantageous as we advanced this project.

-----Original Message-----

From: Bromm.Susan@epamail.epa.gov [mailto:Bromm.Susan@epamail.epa.gov]  
Sent: Friday, October 28, 2011 4:58 PM  
To: Shepherd, Gloria (FHWA)  
Cc: Osborne, Beth (OST);  
Giles-AA.Cynthia@epamail.epa.gov; Kim, David (FHWA);  
Solomon, Gerald (FHWA); Nadeau, Gregory (FHWA);  
**EOP/Ex.6**;  
Lapp.Jeffrey@epamail.epa.gov;  
Meg.E.Gaffney-Smith@usace.army.mil; Smith, Thomas (FHWA); Randy Pomponio; Evans.David@epamail.epa.gov;  
Keehner.Denise@epamail.epa.gov;  
Peck.Gregory@epamail.epa.gov  
Subject: RE: King Coal Highway - Buffalo Mountain Environmental Clearance Process

Gloria,

Thank you for the invitation. While we will be happy to tie in via video conference on the 18th for the federal interagency discussion on management of the overall schedule, we will not be participating in the site visits on the 17th. Our Region 3 Administrator and key staff from the Region visited the area (including a fly over) just this month. As such, we do not feel that another site visit is warranted at this time.

Susan

From: <Gloria.Shepherd@dot.gov>  
To: **EOP/Ex.6**, Cynthia Giles-AA/DC/USEPA/US@EPA, Jeffrey Lapp/R3/USEPA/US@EPA, Susan Bromm/DC/USEPA/US@EPA, <Meg.E.Gaffney-Smith@usace.army.mil>  
Cc: <beth.osborne@dot.gov>, <gregory.nadeau@dot.gov>, <Gerald.Solomon@dot.gov>,

<Thomas.Smith@dot.gov>,  
<david.kim@dot.gov>  
Date: 10/21/2011 01:12 PM  
Subject: RE: King Coal Highway - Buffalo  
Mountain Environmental  
Clearance Process

Horst et al: I am following up with you to see if we can have at least one person from each of your agencies to participate in the November 17, 2011 on site- meeting. The purpose of the meeting is to hear from the public and be as responsive and available as possible at this point in the process.

Our current thinking is that the HQ crowd would fly over on the morning of November 17th....we'd drive to and tour the completed Red Jacket project and try to fly the alignment of the Buffalo Mtn. project during the afternoon. Then all the participants would attend a public info meeting at the new consolidated Mingo County High School, after which we would drive to Williamson and spend the night. On Friday morning, there would be the 2nd video-conference with any in HQ that aren't on the trip to talk about the management of the overall schedule. We'd have Secretary's Huffman and Mattox with us on the first day.

The Washington-based participants would take the afternoon flight back to Reagan on Friday afternoon, Nov 18th. If funding is an issue, please call me so we can discuss. Please let me know whether you can accommodate this request by Friday, October 28. Thank you.

From: Shepherd, Gloria (FHWA)  
Sent: Thursday, October 20, 2011 3:53 PM  
To: EOP/Ex.6; 'giles-aa.cynthia@epa.gov'; 'lapp.jeffrey@epa.gov'; 'Bromm.susan@epa.gov'; 'Meg.E.Gaffney-Smith@usace.army.mil'  
Cc: Osborne, Beth (OST); Nadeau, Gregory (FHWA); Solomon, Gerald (FHWA); Smith, Thomas (FHWA); Kim, David (FHWA)  
Subject: RE: King Coal Highway - Buffalo Mountain Environmental Clearance Process

As a follow up to our meeting earlier this week,  
attached is the  
timeline for advancing the above-named project. We  
will be sending out  
soon a proposed date for a follow up meeting for the  
middle of November.  
If you see any information that you think should be  
revised on the  
attached chart, do not hesitate to let us know.  
Thank you and we look  
forward to advancing this effort.





{In Archive} RE: King Coal Highway - Buffalo Mountain Environmental Clearance Process

Gloria Shepherd to: Horst\_Greczmiel, Cynthia Giles-AA, Jeffrey Lapp, Susan Bromm, Meg.E.Gaffney-Smith, beth.osborne, Gerald.Solomon, gregory.nadeau, Gary\_S.\_Guzy, mary.frye

11/03/2011 10:15 AM

Archive:

This message is being viewed in an archive.

Horst et al: I am writing to provide the logistics for the next meeting on the above-named project. As you know, it is scheduled for Friday, November 18<sup>th</sup>. For those of us in Washington, we are welcome to join us at the USDOT Building, room E 76-124. For those of you outside of Washington, please refer to information below. Per the following message from Horst, we will discuss any issues left over from the previous meeting as well as relevant additional topics. Gerry will follow up with a formal agenda. We appreciate your support and look forward to the next meeting.

**Conference ID:** Ex. 6 - Personal

**Conference Name:** King Coal Highway

**Conference Date:** 11/18/11

**Conference Time:** 9:00 am—12:00 pm (Eastern)

**Requestor:** Jason Workman Ex. 6 - Personal Privacy

**Special Equipment:**

**Dial-in Time:** 8:45 am

**Note:** connect teleconference

Site	Connection Method	Dial-in Number
Ex. 6 -		
Personal		
Privacy		

**From:** Greczmiel, Horst EOP / Ex. 6

**Sent:** Friday, October 28, 2011 11:38 AM

**To:** Shepherd, Gloria (FHWA); giles-aa.cynthia@epa.gov; lapp.jeffrey@epa.gov; Bromm.susan@epa.gov; Meg.E.Gaffney-Smith@usace.army.mil; Osborne, Beth (OST); Solomon, Gerald (FHWA); Smith, Thomas (FHWA); Kim, David (FHWA); Athas, Ellen

**Cc:** Nadeau, Gregory (FHWA); Guzy, Gary S.

**Subject:** FW: King Coal Highway - Buffalo Mountain Environmental Clearance Process

Gloria,

Thanks again for hosting the meeting and for providing the updated flow chart. Because this is an internal document, we should discuss this when we have the federal agency November update which is scheduled for the 18<sup>th</sup> rather than trying to meet before the public informational workshop on the 17<sup>th</sup>. Ellen Athas will participate in the November 17, 2011, on-site meeting.

There are several points carrying over from our last meeting that I believe support either confirming my reading or revisions to the flowchart:

E

Ex. 5 - Deliberative Process

Thank you for the opportunity to review the flow chart. I look forward to our next meeting on the 18<sup>th</sup> and continuing our collaborative efforts, Horst

Horst Greczmiel  
Associate Director for NEPA Oversight  
Council on Environmental Quality

EOP / Ex. 6



Please consider the environment before printing this e-mail

**From:** [Gloria.Shepherd@dot.gov](mailto:Gloria.Shepherd@dot.gov) [<mailto:Gloria.Shepherd@dot.gov>]

**Sent:** Thursday, October 20, 2011 3:53 PM

**To:** Greczmiel, Horst; [giles-aa.cynthia@epa.gov](mailto:giles-aa.cynthia@epa.gov); [lapp.jeffrey@epa.gov](mailto:lapp.jeffrey@epa.gov); [Bromm.susan@epa.gov](mailto:Bromm.susan@epa.gov); [Meg.E.Gaffney-Smith@usace.army.mil](mailto:Meg.E.Gaffney-Smith@usace.army.mil)

**Cc:** [beth.osborne@dot.gov](mailto:beth.osborne@dot.gov); [gregory.nadeau@dot.gov](mailto:gregory.nadeau@dot.gov); [Gerald.Solomon@dot.gov](mailto:Gerald.Solomon@dot.gov); [Thomas.Smith@dot.gov](mailto:Thomas.Smith@dot.gov); [david.kim@dot.gov](mailto:david.kim@dot.gov)

**Subject:** RE: King Coal Highway - Buffalo Mountain Environmental Clearance Process

As a follow up to our meeting earlier this week, attached is the timeline for advancing the above-named project. We will be sending out soon a proposed date for a follow up meeting for the middle of November. If you see any information that you think should be revised on the attached chart, do not hesitate to let us know. Thank you and we look forward to advancing this effort.



**{In Archive} King Coal Highway Meeting Info .**

**Gerald Solomon** to: Horst\_Greczmiel, 'giles-aa.cynthia, Jeffrey Lapp, Ellen\_M.\_Athas, Susan Bromm, Meg.E.Gaffney-Smith, beth.osborne, Gloria.Shepherd, Marlys.Osterhues, mary.frye, gregory.nadeau, Gary\_S.\_Guzy

11/09/2011 08:43 AM

Archive: This message is being viewed in an archive .

Horst et al:

This email is to follow up on Gloria Shepherd's email of November 3, 2011 regarding the next King Coal Highway – Buffalo Mountain project update meeting of November 18, 2011 at 9:30 AM. As before, we welcome all of you to join us at the USDOT building in room E76 – 124. I have attached the agenda for the meeting and below you will find the teleconference and phone connection numbers for those who will be attending from outside Washington, DC. We appreciate your support and look forward to seeing you at the meeting on the 18<sup>th</sup> .

**Gerry Solomon**

Director  
FHWA Office of Project Development and Environmental Review  
1200 New Jersey Ave SE  
Washington DC 20590  
202 366-2037  
[gerald.solomon@dot.gov](mailto:gerald.solomon@dot.gov)

**Additional Information:**

**Conference ID:** Ex. 6 - Personal  
**Conference Name:** King Coal Highway  
**Conference Date:** 11/18/11  
**Conference Time:** 9:00 am—12:00 pm (Eastern)  
**Requestor:** Jason Workman Ex. 6 - Personal Privacy  
**Dial-in Time:** 8:45 am  
**Note:** connect teleconference  
**Phone conference call:** Ex. 6 - Personal Privacy

Site	Connection Method	Dial-in Number
Ex. 6 -		
Personal		
Privacy		



Agenda\_King Coal\_Nov 18 Meeting.docx



## AGENDA

### King Coal Highway

11/18/2011

9:00 AM – 10:30 AM

FHWA HQ – Room E76 -124

#### Opening Comments:

- Gloria Shepherd

#### Updates:

- Tom Smith – Site Visit, Public Workshop
- Ed Compton/Jason Workman – Flow Chart actions status

#### FHWA/USACE Response to CEQ comments to Flow Chart:

- “Compilation & Analysis of Preliminary CDD Data” and “Draft EA” are a combined document
- State permits should precede combined “Compilation & Analysis of Preliminary CDD Data” and “Draft EA”
- Combined “Draft CDD” and “Final EA” is the decision point for whether a Final EA or SEIS would be developed
- Timing of final decision points assumes completion of the NEPA reviews with an EA/FONSI is appropriate

#### Early Issue/Problem Identification

- FHWA – Gloria Shepherd/Tom Smith
- USACE – Meg Gaffney-Smith/Ginger Mullins
- EPA – Susan Bromm

#### Next Steps:

- Tom Smith

#### Open Discussion: All

#### Additional Information:

Conference ID: [REDACTED]

Conference Name: King Coal Highway

Conference Date: 11/18/11

Conference Time: 9:00 am—12:00 pm (Eastern)

Requestor: Jason Workman [REDACTED]

Dial-in Time: 8:45 am

Note: connect teleconference

Phone conference call: [REDACTED]

#### Site

Ex. 6 - [REDACTED]

Privacy [REDACTED]

#### Connection Method

#### Dial-in Number

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]



{In Archive} RE: King Coal Highway Meeting Info .  
Horst\_Greczmiel, 'giles-aa.cynthia, Jeffrey  
Gerald Solomon to: Lapp, Ellen\_M.\_Athas, Susan Bromm,  
Meg.E.Gaffney-Smith, beth.osborne,  
Cc: Gloria.Shepherd, Marlys.Osterhues, mary.frye, gregory.nadeau,  
Gary\_S.\_Guzy

11/09/2011 01:11 PM

Archive: This message is being viewed in an archive.

This email is to clarify the starting time for the meeting of November 18. The meeting is scheduled to begin at 9:00 am as is reflected in the agenda. Inadvertently the prior email referred to a start time of 9:30 and that was incorrect. I apologize for any confusion.

*Gerry Solomon*

Director  
FHWA Office of Project Development and Environmental Review  
1200 New Jersey Ave SE  
Washington DC 20590  
202 366-2037  
[gerald.solomon@dot.gov](mailto:gerald.solomon@dot.gov)

**From:** Solomon, Gerald (FHWA)  
**Sent:** Wednesday, November 09, 2011 8:42 AM  
**To:** EOP / Ex. 6 'giles-aa.cynthia@epa.gov';  
'lapp.jeffrey@epa.gov'; 'Athas, Ellen'; 'Bromm.susan@epa.gov';  
'Meg.E.Gaffney-Smith@usace.army.mil'; Osborne, Beth (OST); Smith,  
Thomas (FHWA); Kim, David (FHWA)  
**Cc:** Shepherd, Gloria (FHWA); Osterhues, Marlys (FHWA); Frye, Mary  
(FHWA); Nadeau, Gregory (FHWA); EOP / Ex. 6  
**Subject:** King Coal Highway Meeting Info.

Horst et al:

This email is to follow up on Gloria Shepherd's email of November 3, 2011 regarding the next King Coal Highway – Buffalo Mountain project update meeting of November 18, 2011 at 9:30 AM. As before, we welcome all of you to join us at the USDOT building in room E 76 – 124. I have attached the agenda for the meeting and below you will find the teleconference and phone connection numbers for those who will be attending from outside Washington, DC. We appreciate your support and look forward to seeing you at the meeting on the 18<sup>th</sup>.

*Gerry Solomon*

Director  
FHWA Office of Project Development and Environmental Review  
1200 New Jersey Ave SE  
Washington DC 20590  
202 366-2037  
[gerald.solomon@dot.gov](mailto:gerald.solomon@dot.gov)



**Additional Information:**

**Conference ID:** Ex. 6 - Personal Privacy  
**Conference Name:** King Coal Highway  
**Conference Date:** 11/18/11  
**Conference Time:** 9:00 am—12:00 pm (Eastern)  
**Requestor:** Jason Workman Ex. 6 - Personal Privacy  
**Dial-in Time:** 8:45 am  
**Note:** connect teleconference  
**Phone conference call:** Ex. 6 - Personal Privacy

Site	Connection Method	Dial-in Number
Ex. 6 -		
Personal		
Privacy		



{In Archive} Fw: King Coal Highway Next Steps

Susan Bromm to: Cynthia Giles-AA

Cc: Cliff Rader

10/17/2011 02:16 PM

History: This message has been replied to.

Archive: This message is being viewed in an archive.

**Ex. 5 - Deliberative Process** . Gloria Shepherd (FHWA) distributed the flow chart attached at the bottom of this string of emails. It shows FHWA making their EA public in a few days and holding public meetings on it next week. It also

**Ex. 5 - Deliberative Process** I have put together an internal EPA meeting this afternoon (with OW and Region 3) to make sure we are all on the same page on our response. Then we (OW, Reg 3, and Cliff and I) will attend the meeting at FHWA tomorrow.

----- Forwarded by Susan Bromm/DC/USEPA/US on 10/17/2011 02:14 PM -----

From: <Gloria.Shepherd@dot.gov>  
To: EOP / Ex. 6  
Cc: EOP / Ex. 6 <chip.smith1@us.army.mil>, <Michael.G.Ensch@usace.army.mil>, <Lance.D.Wood@usace.army.mil>, <Thomas.Smith@dot.gov>, <gregory.nadeau@dot.gov>, <Jeff.Paniati@dot.gov>, <Gerald.Solomon@dot.gov>, <Meg.E.Gaffney-Smith@usace.army.mil>, Susan Bromm/DC/USEPA/US@EPA, Cliff Rader/DC/USEPA/US@EPA, Jeffrey Lapp/R3/USEPA/US@EPA, <Jennifer.A.Moyer@usace.army.mil>  
Date: 10/17/2011 09:54 AM  
Subject: RE: King Coal Highway Next Steps

Horst: We plan to walk through the chart to ensure everyone has the same understanding. As you mentioned we want to solidify our co-lead status with the ACOE, and we also expect that there will be a need to work out some thoughts regarding monitoring, particularly as relates to water quality, and adaptive management strategies as might be appropriate.

Also, Gerry will be sending the logistical information momentarily.

**From:** Greczmiel, Horst [EOP / Ex. 6]  
**Sent:** Sunday, October 16, 2011 11:04 AM  
**To:** Shepherd, Gloria (FHWA); Solomon, Gerald (FHWA)  
**Cc:** Athas, Ellen; chip.smith1@us.army.mil; Michael.G.Ensch@usace.army.mil; Lance.D.Wood@usace.army.mil; Smith, Thomas (FHWA); Nadeau, Gregory (FHWA); Paniati, Jeff (FHWA); Meg.E.Gaffney-Smith@usace.army.mil; Bromm.Susan@epamail.epa.gov; rader.cliff@epa.gov; 'lapp.jeffrey@epa.gov'; Jennifer.A.Moyer@usace.army.mil  
**Subject:** RE: King Coal Highway Next Steps

Gloria,

I appreciate the response and focus for moving forward. The two points regarding lead agency and alignment are well taken and merit further discussion at Tuesday's meeting. To fully inform that discussion, can you circulate a brief description of the FHWA decisions that will be set out in the FHWA Decision document?

Looking forward to our discussion on Tuesday.

Gerry, please send Ellen and me the location and call-in information.

Thank you, Horst

**From:** Gloria.Shepherd@dot.gov [mailto:Gloria.Shepherd@dot.gov]  
**Sent:** Friday, October 14, 2011 8:31 PM  
**To:** Greczmiel, Horst; Meg.E.Gaffney-Smith@usace.army.mil; Gerald.Solomon@dot.gov; Bromm.Susan@epamail.epa.gov; rader.cliff@epa.gov; lapp.jeff@epa.gov; Jennifer.A.Moyer@usace.army.mil  
**Cc:** Athas, Ellen; chip.smith1@us.army.mil; Michael.G.Ensch@usace.army.mil; Lance.D.Wood@usace.army.mil; Thomas.Smith@dot.gov; gregory.nadeau@dot.gov; Jeff.Paniati@dot.gov  
**Subject:** Re: King Coal Highway Next Steps

Horst:

Thank you for your email outlining a proposed process for advancing the King Coal Highway project. We are currently reviewing it. Our initial reaction is that the process you outlined, with minor revisions, is consistent with the approach we envisioned. The two minor points of discussion regarding your proposal are as follows:

- 1) Lead Agency – In response to your email, we recommend FHWA be a co-lead with USACE.
- 2) Our process anticipates that the FHWA Decision document will occur concurrent with the USACE 404 process rather than follow it. We consider this “to be aligned”.

One other issue is the implications to USACE-EPA coordination in light of the court decision on the ECP process. This will need further consideration.

We look forward to further discussion of this project, and to meeting the schedule we set out at next Tuesday's meeting with USACE and EPA.

Thank you,  
Gloria

**From:** Greczmiel, Horst [EOP / Ex. 6]  
**Sent:** Friday, October 14, 2011 01:50 PM  
**To:** Gaffney-Smith, Margaret E <Meg.E.Gaffney-Smith@usace.army.mil>; Shepherd, Gloria (FHWA); Solomon, Gerald (FHWA); Bromm.Susan@epamail.epa.gov <Bromm.Susan@epamail.epa.gov>; rader.cliff@epa.gov <rader.cliff@epa.gov>; lapp.jeff@epa.gov <lapp.jeff@epa.gov>; Moyer, Jennifer A HQ02 <Jennifer.A.Moyer@usace.army.mil>



**Cc:** Athas, Ellen [EOP / Ex. 6]; chip.smith1@us.army.mil <chip.smith1@us.army.mil>;  
Ensch, Michael G HQ02 <Michael.G.Ensch@usace.army.mil>; Wood, Lance D HQ02  
<Lance.D.Wood@usace.army.mil>

**Subject:** RE: King Coal Highway Next Steps

Meg,

There have been other meetings but the message refers to the September 26 meeting Gary hosted here at CEQ. I look forward to any further feedback.

Regards, Horst

Horst Greczmiel  
Associate Director for NEPA Oversight  
Council on Environmental Quality

[EOP / Ex. 6]



Please consider the environment before printing this e-mail

**From:** Gaffney-Smith, Margaret E [mailto:Meg.E.Gaffney-Smith@usace.army.mil]  
**Sent:** Friday, October 14, 2011 9:27 AM  
**To:** Greczmiel, Horst; Gloria.Shepherd@dot.gov; Gerald.Solomon@dot.gov;  
Bromm.Susan@epamail.epa.gov; rader.cliff@epa.gov; lapp.jeff@epa.gov; Moyer, Jennifer A HQ02  
**Cc:** Athas, Ellen; chip.smith1@us.army.mil; Ensched, Michael G HQ02; Wood, Lance D HQ02  
**Subject:** Re: King Coal Highway Next Steps

Horst,

Thanks for this message I was not aware that there was an additional meeting on this topic. The Corps will take this recommendation under advisement and let you know if we have concerns with this draft recommended approach/path forward and how best we believe those concerns be addressed.

Respectfully,

Meg

Meg Gaffney-Smith

Chief, Regulatory Program HQUSACE

441 G St, NW.

Washington, DC 20314

(202) 761-8560; cell [Ex. 6 - Personal Privacy]

**From:** Greczmiel, Horst [EOP / Ex. 6]  
**Sent:** Thursday, October 13, 2011 05:39 PM  
**To:** Gloria.Shepherd@dot.gov <Gloria.Shepherd@dot.gov>; Gerald.Solomon@dot.gov <Gerald.Solomon@dot.gov>; Bromm.Susan@epamail.epa.gov <Bromm.Susan@epamail.epa.gov>; rader.cliff@epa.gov <rader.cliff@epa.gov>; lapp.jeff@epa.gov <lapp.jeff@epa.gov>; Gaffney-Smith, Margaret E; Moyer, Jennifer A HQ02  
**Cc:** Athas, Ellen [EOP / Ex. 6]  
**Subject:** FW: King Coal Highway Next Steps

The next steps have been sent out. Let us know if you have any questions.

Thank you, Horst

Horst Greczmiel  
Associate Director for NEPA Oversight  
Council on Environmental Quality

EOP / Ex. 6



Please consider the environment before printing this e-mail

**From:** Guzy, Gary S.

**Sent:** Thursday, October 13, 2011 5:57 PM

**To:** [gregory.nadeau@dot.gov](mailto:gregory.nadeau@dot.gov); [Giles-AA.Cynthia@epamail.epa.gov](mailto:Giles-AA.Cynthia@epamail.epa.gov); [Rock.Salt@us.army.mil](mailto:Rock.Salt@us.army.mil); [beth.osborne@dot.gov](mailto:beth.osborne@dot.gov)

**Cc:** Greczmiel, Horst; Athas, Ellen

**Subject:** King Coal Highway Next Steps

Greg, Cynthia, Beth, and Rock,

Thank you for meeting and discussing the proposed environmental review process for the project that combines the proposed Buffalo Mountain Mine and the 6.9 mile Delbarton to Belo portion of the King Coal highway. We appreciate the candid discussion of the challenges posed by the iterative nature of this planning process, the timing of the agency decisions, and the coordination of the agency NEPA reviews. CEQ agreed to draft the recommended next steps reflecting the groups discussion to move forward in a way that accommodates the concerns raised during our discussion, presents and fleshes out the steps we discussed, and satisfies the NEPA requirements to support timely Federal decisions by the Federal agencies.

Proceeding with a two-step process to address the Corps and FHWA actions would allow the environmental analysis to track the order of the necessary Federal decisions for the mine and highway projects and provides a level of coordination that takes advantage of efficiencies and avoids duplication. This process would either follow the order in which the Federal decisions and the on-the-ground activities could proceed, with the mining proposed to occur first and the highway construction occurring later, or align the timing of the decisions. Both Federal analyses and decisions would follow the State's permit/NPDES/401 decisions.

This process would focus on ensuring the sequence of agency NEPA reviews and decisions are informed by the most up to date information, avoids any appearance that decisions are predetermined, and does not require unnecessary process steps or result in duplication. Accordingly, following the appropriate NEPA process and sequence will not delay decisions on either the mining or the highway.

The recommended process is as follows:

The Army Corps of Engineers would make its decision on the section 404 permit application either before or in alignment with the FHWA decision. The Corps decision will occur following the assessment of West Virginia's determinations on the SMCRA, NPDES, and section 401 actions. The NEPA review for the Corps' decision would take into account the FHWA's 2000 Environmental Impact Statement and



Record of Decision and the FHWA draft environmental assessment prepared in collaboration with other agencies and the mining proponent (CONSOL Energy). Throughout the Corps' process, the Environmental Protection Agency would work with the Corps and the applicant to avoid and mitigate the environmental harm of the project. The EPA would also provide the Corps and FHWA with timely review and comment on the environmental impact of the project and the adequacy of the NEPA documentation.

We recommend that the Corps act as lead agency and FHWA act as cooperating agency in developing the NEPA review relied upon by the Corps. This would provide the best opportunity to ensure that the analysis takes the cumulative impacts of the proposed mine and the proposed highway into account. Any adjustments to the proposed route analyzed in the draft EA would be assessed, thereby providing FHWA with a NEPA review of the most current proposed route for their determination on whether to proceed with a supplemental EIS or a Finding of No Significant Impact for their decision. FHWA would determine whether to proceed to a decision with an EA and FONSI or to issue a supplemental EIS under the CEQ Regulations based on whether there has been a substantial change in the proposed action, or significant new circumstances or information on the proposed action or its impacts. A supplemental EIS would be required if the analysis demonstrates a substantial change and significant new circumstances when comparing the proposal analyzed in the 2000 EIS – a proposed highway corridor located outside the area of the highest mountaintops and proposed mine – and the currently proposed alternative of combining the highway with a major mining project.

Having the FHWA decision either follow or be aligned with the Corps' decision will maintain the integrity of the section 404 process by ensuring that the final route of the proposed highway is not determined before action is taken on the permit, allows for the incorporation of any changes made to the project design during the Corps permitting process, and allows the FHWA to fully account for the impacts and mitigations associated with the combined project and take into account any adjustments made during the permitting process.

Please let me know if this does not describe your understanding of the process moving forward.

Sincerely,

Gary Guzy  
Deputy Director



Council on Environmental Quality King Coal Flow Chart10-17-11.pdf

redacted  
Ex. 5



{In Archive} RE: Feb 3 King Coal Highway Meeting Information

Gerald Solomon to: David Evans, Gloria.Shepherd

02/01/2012 08:48 AM

beth.osborne, Cynthia Giles-AA, david.kim, Denise Keehner,  
Cc: Ellen\_M\_Athas, Gregory Peck, gregory.nadeau, Horst\_Greczmiel,  
Jacqueline.A.Jenkins, Jeffrey Lapp, John Pomponio, Joyce.Curtis,

Archive:

This message is being viewed in an archive.

Dave

Thank you for your email. The following information  
is for participants connecting remotely:

Conference ID: Ex. 6

Conference Name: King Coal Highway

Conference Date: 2/3/12

Requestor: Jason Workman Ex. 6 - Personal

Note: connect teleconference Ex. 6 - Personal Privacy

Site Number	Connection Method	Dial-in
Ex. 6 -		
Personal		
Privacy		

Gerry Solomon  
Director  
FHWA Office of Project Development and Environmental  
Review  
1200 New Jersey Ave SE  
Washington DC 20590  
202 366-2037  
gerald.solomon@dot.gov

-----Original Message-----

From: Evans.David@epamail.epa.gov [  
mailto:Evans.David@epamail.epa.gov]  
Sent: Tuesday, January 31, 2012 5:19 PM  
To: Shepherd, Gloria (FHWA)  
Cc: Osborne, Beth (OST);  
Giles-AA.Cynthia@epamail.epa.gov; Kim, David (FHWA);  
Keehner.Denise@epamail.epa.gov;  
EOP/Ex. 6; Solomon, Gerald (FHWA);  
Peck.Gregory@epamail.epa.gov; Nadeau, Gregory (FHWA);  
EOP/Ex. 6; Jenkins, Jacqueline  
(FHWA); Lapp.Jeffrey@epamail.epa.gov;  
Pomponio.John@epamail.epa.gov; Curtis, Joyce (FHWA);  
Osterhues, Marlys (FHWA); Frye, Mary (FHWA);  
Meg.E.Gaffney-Smith@usace.army.mil;  
Bromm.Susan@epamail.epa.gov; Smith, Thomas (FHWA)  
Subject: Re: Feb 3 King Coal Highway Meeting  
Information

Thanks for advance materials Gloria. I presume there

will be a call-in  
number for field/regional participants, like Randy  
Pomponio.

Dave

David Evans, Director  
Wetlands Division  
Office of Wetlands, Oceans and Watersheds  
(202) 566-0535

From: <Gloria.Shepherd@dot.gov>  
To: EOP/Ex. 6, <Meg.E.Gaffney-Smith@usace.army.mil>,  
EOP/Ex. 6, Cynthia  
Giles-AA/DC/USEPA/US@EPA, Susan  
Bromm/DC/USEPA/US@EPA, John  
Pomponio/R3/USEPA/US@EPA, Jeffrey  
Lapp/R3/USEPA/US@EPA,  
David Evans/DC/USEPA/US@EPA, Denise  
Keehner/DC/USEPA/US@EPA,  
Gregory Peck/DC/USEPA/US@EPA  
Cc: <beth.osborne@dot.gov>,  
<gregory.nadeau@dot.gov>,  
<Joyce.Curtis@dot.gov>,  
<Gerald.Solomon@dot.gov>,  
<Thomas.Smith@dot.gov>,  
<david.kim@dot.gov>,  
<Marlys.Osterhues@dot.gov>,  
<mary.frye@dot.gov>,  
<Jacqueline.A.Jenkins@dot.gov>  
Date: 01/31/2012 04:44 PM  
Subject: Feb 3 King Coal Highway Meeting  
Information

All: Attached is the read-ahead information  
including the agenda. We  
look forward to seeing you this Friday.  
[attachment "King Coal Flowchart Revised  
1-30-12.pdf" deleted by David  
Evans/DC/USEPA/US] [attachment  
"KCH-Buffalo\_Mnt\_SEIS\_NOI\_Published.pdf"  
deleted by David Evans/DC/USEPA/US] [attachment  
"WV1029690 Consol  
Buffalo Mt Surface Mine EPA Specific Objection Ltr  
1-20-1012.pdf"  
deleted by David Evans/DC/USEPA/US] [attachment "King  
Coal Highway  
Federal Agency MeetingAGENDA2-3-12.docx" deleted by  
David  
Evans/DC/USEPA/US]



{In Archive} Fw: King Coal Highway  
Cynthia Giles-AA to: Susan Bromm, Cliff Rader  
Cc: "Steve Chester"

12/13/2011 06:34 AM

Archive:

This message is being viewed in an archive.

Good news!

**From:** [Gloria.Shepherd@dot.gov]

**Sent:** 12/12/2011 10:31 PM EST

**To:** EOP / Ex. 6 Jeffrey Lapp; Susan Bromm

**Cc:** <beth.osborne@dot.gov>; <gregory.nadeau@dot.gov>;  
<Meg.E.Gaffney-Smith@usace.army.mil>; <Gerald.Solomon@dot.gov>;  
<Joyce.Curtis@dot.gov>; <Thomas.Smith@dot.gov>; <david.kim@dot.gov>;  
<Gerald.Solomon@dot.gov>; EOP / Ex. 6; Cynthia  
Giles-AA; John Pomponio; David Evans; Denise Keehner; Gregory Peck

**Subject:** King Coal Highway

Good Evening All: I am writing to inform you that based on the feedback from our meetings and the high profile nature of the above-named project; we have decided to pursue a Supplemental Environment Impact Statement rather than a Supplemental Environmental Assessment. We will provide a new schedule for this process and are in the process of working on a purpose and need statement for the SEIS. Thank you for your cooperation, and we will follow up soon.

Gloria M. Shepherd  
Associate Administrator  
Office of Planning, Environment and Realty  
Phone: 202-366-0116  
Email: [gloria.shepherd@dot.gov](mailto:gloria.shepherd@dot.gov)





**{In Archive} RE: Next Meeting on King Coal Highway**

**Gloria Shepherd** to: Horst\_Greczmiel, Meg.E.Gaffney-Smith,  
Ellen\_M.\_Athas, Cynthia Giles-AA, Susan  
Bromm, John Pomponio, Jeffrey Lapp,  
beth.osborne, gregory.nadeau, Joyce.Curtis, Gerald.Solomon,  
Cc: Thomas.Smith, david.kim, Marlys.Osterhues, mary.frye,  
Jacqueline.A.Jenkins

01/20/2012 04:25 PM

History: This message has been forwarded.

Archive: This message is being viewed in an archive.

Good Afternoon All: I am writing to inform you that we need to make the meeting slightly earlier in order to maximize the attendance. The meeting will now start at 8:30 and go until 9:30 AM or so on Friday, February 3<sup>rd</sup>. Thank you for your flexibility.

**From:** Shepherd, Gloria (FHWA)

**Sent:** Tuesday, January 10, 2012 10:19 AM

**To:** 'Greczmiel, Horst'; 'Meg.E.Gaffney-Smith@usace.army.mil'; 'Athas, Ellen'; 'Giles-AA.Cynthia@epamail.epa.gov'; 'Bromm.susan@epa.gov'; 'Randy Pomponio'; 'lapp.jeffrey@epa.gov'; 'Evans.David@epamail.epa.gov'; 'Keehner.Denise@epamail.epa.gov'; 'Peck.Gregory@epamail.epa.gov'

**Cc:** Osborne, Beth (OST); Nadeau, Gregory (FHWA); Curtis, Joyce (FHWA); Solomon, Gerald (FHWA); Smith, Thomas (FHWA); Kim, David (FHWA); Osterhues, Marlys (FHWA); Frye, Mary (FHWA); Jenkins, Jacqueline (FHWA)

**Subject:** Next Meeting on King Coal Highway

Good Morning All: I am writing to inform you that the next meeting on the above-named project is scheduled for Friday, February 3<sup>rd</sup> at 9:00-10:30 in room 76-124. For those who are unable to participate in person, we will provide a call-in number. At the meeting, we would like to discuss the following topics:

- General Update of Project Status since November 18<sup>th</sup> Video Conference – Gloria Shepherd
- Discussion of Revised Timeline ( SEIS) – Tom Smith and Ginger Mullins
- NOI and updated Purpose and Need Document; Scoping Process – Jason Workman and Alison Rogers, Huntington USACE
- General Discussion and Next Steps – Tom Smith

We look forward to seeing you. Happy belated New Year!





{In Archive} Fw: Next Meeting on King Coal Highway

Cynthia Giles -AA to: Steven Chester

01/10/2012 10:20 AM

Archive:

This message is being viewed in an archive.

Cynthia Giles  
Assistant Administrator  
U.S. EPA, Office of Enforcement and Compliance Assurance  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460  
202-564-2440

THIS MESSAGE IS CONFIDENTIAL and may contain legally privileged information. If you receive it in error, please delete it immediately, do not copy, and notify the sender. Thank you.

----- Forwarded by Cynthia Giles-AA/DC/USEPA/US on 01/10/2012 10:19 AM -----

From: <Gloria.Shepherd@dot.gov>  
To: EOP / Ex. 6, <Meg.E.Gaffney-Smith@usace.army.mil>, EOP / Ex. 6 Cynthia Giles-AA/DC/USEPA/US@EPA, Susan Bromm/DC/USEPA/US@EPA, John Pomponio/R3/USEPA/US@EPA, Jeffrey Lapp/R3/USEPA/US@EPA, David Evans/DC/USEPA/US@EPA, Denise Keehner/DC/USEPA/US@EPA, Gregory Peck/DC/USEPA/US@EPA  
Cc: <beth.osborne@dot.gov>, <gregory.nadeau@dot.gov>, <Joyce.Curtis@dot.gov>, <Gerald.Solomon@dot.gov>, <Thomas.Smith@dot.gov>, <david.kim@dot.gov>, <Marlys.Osterhues@dot.gov>, <mary.frye@dot.gov>, <Jacqueline.A.Jenkins@dot.gov>  
Date: 01/10/2012 10:19 AM  
Subject: Next Meeting on King Coal Highway

---

Good Morning All: I am writing to inform you that the next meeting on the above-named project is scheduled for Friday, February 3<sup>rd</sup> at 9:00-10:30 in room 76-124. For those who are unable to participate in person, we will provide a call-in number. At the meeting, we would like to discuss the following topics:

- General Update of Project Status since November 18<sup>th</sup> Video Conference – Gloria Shepherd
- Discussion of Revised Timeline (SEIS) – Tom Smith and Ginger Mullins
- NOI and updated Purpose and Need Document; Scoping Process – Jason Workman and Alison Rogers, Huntington USACE
- General Discussion and Next Steps – Tom Smith

We look forward to seeing you. Happy belated New Year!



Fw: Feb 3 King Coal Highway Meeting Information  
Cynthia Giles-AA to: Steven Chester

03/02/2012 06:10 PM

Cynthia Giles  
Assistant Administrator  
U.S. EPA, Office of Enforcement and Compliance Assurance  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460  
202-564-2440

THIS MESSAGE IS CONFIDENTIAL and may contain legally privileged information. If you receive it in error, please delete it immediately, do not copy, and notify the sender. Thank you.

----- Forwarded by Cynthia Giles-AA/DC/USEPA/US on 03/02/2012 06:10 PM -----

From: <Gloria.Shepherd@dot.gov>  
To: EOP / Ex. 6, <Meg.E.Gaffney-Smith@usace.army.mil>, EOP / Ex. 6 Cynthia Giles-AA/DC/USEPA/US@EPA, Susan Bromm/DC/USEPA/US@EPA, John Pomponio/R3/USEPA/US@EPA, Jeffrey Lapp/R3/USEPA/US@EPA, David Evans/DC/USEPA/US@EPA, Denise Keehner/DC/USEPA/US@EPA, Gregory Peck/DC/USEPA/US@EPA, EOP / Ex. 6  
Cc: <beth.osborne@dot.gov>, <gregory.nadeau@dot.gov>, <Joyce.Curtis@dot.gov>, <Gerald.Solomon@dot.gov>, <Thomas.Smith@dot.gov>, <david.kim@dot.gov>, <Marlys.Osterhues@dot.gov>, <mary.frye@dot.gov>, <Jacqueline.A.Jenkins@dot.gov>  
Date: 03/02/2012 03:36 PM  
Subject: RE: Feb 3 King Coal Highway Meeting Information

---



All: Attached is the 2000 ROD for KCH. Thank you for the reminder. 2000 ROD King Coal Hwy.pdf



**KCH timeline (UNCLASSIFIED)**

**Gloria Shepherd** to: Horst\_Greczmiel, Meg.E.Gaffney-Smith,  
Ellen\_M.\_Athas, Cynthia Giles-AA, Susan  
Bromm, John Pomponio, Jeffrey Lapp,  
beth.osborne, gregory.nadeau, Joyce.Curtis, Gerald.Solomon,  
Cc: Thomas.Smith, david.kim, Marlys.Osterhues, mary.frye,  
Jason.Workman, Jacqueline.A.Jenkins

05/03/2012 03:34 PM

History:

This message has been forwarded.

All: Here are flowcharts that show the latest dates.  
We look forward to meeting with you tomorrow.



King Coal Flowchart Revised 2-13-12.pdf



Visio-DRAFT - King Coal Flowchart Revised 5-3-12.pdf

redacted  
Ex. 5



Re: Information : May 4 King Coal Highway (KCH) Meeting  
'Gloria.Shepherd@dot.gov'

Gaffney-Smith, Margaret E HQ02 to: ,

04/24/2012 03:53 PM

EOP / Ex. 6

Cc: "beth.osborne@dot.gov", "gregory.nadeau@dot.gov",  
"Joyce.Curtis@dot.gov", "Gerald.Solomon@dot.gov",  
"Thomas.Smith@dot.gov", "david.kim@dot.gov",

Thanks Gloria, I will attend.

Meg Gaffney-Smith

Chief, Regulatory Program HQUSACE

441 G St, NW.

Washington, DC 20314

(202) 761-8560; cell Ex. 6 - Personal Privacy

**From:** Gloria.Shepherd@dot.gov [mailto:Gloria.Shepherd@dot.gov]

**Sent:** Tuesday, April 24, 2012 12:23 PM

**To:** EOP / Ex. 6

Gaffney-Smith, Margaret E HQ02; Ellen\_M.\_Athas@ceq.eop.gov

EOP / Ex. 6 Giles-AA.Cynthia@epamail.epa.gov

<Giles-AA.Cynthia@epamail.epa.gov>; Bromm.susan@epa.gov

<Bromm.susan@epa.gov>; pomponio.john@epa.gov

<pomponio.john@epa.gov>; lapp.jeffrey@epa.gov

<lapp.jeffrey@epa.gov>; Evans.David@epamail.epa.gov

<Evans.David@epamail.epa.gov>; Keehner.Denise@epamail.epa.gov

<Keehner.Denise@epamail.epa.gov>; Peck.Gregory@epamail.epa.gov

<Peck.Gregory@epamail.epa.gov> EOP / Ex. 6

**Cc:** beth.osborne@dot.gov <beth.osborne@dot.gov>;

gregory.nadeau@dot.gov <gregory.nadeau@dot.gov>;

Joyce.Curtis@dot.gov <Joyce.Curtis@dot.gov>;

Gerald.Solomon@dot.gov <Gerald.Solomon@dot.gov>;

Thomas.Smith@dot.gov <Thomas.Smith@dot.gov>; david.kim@dot.gov

<david.kim@dot.gov>; Marlys.Osterhues@dot.gov

<Marlys.Osterhues@dot.gov>; mary.frye@dot.gov

<mary.frye@dot.gov>; Jason.Workman@dot.gov

<Jason.Workman@dot.gov>; Jacqueline.A.Jenkins@dot.gov

<Jacqueline.A.Jenkins@dot.gov>

**Subject:** Information: May 4 King Coal Highway (KCH) Meeting

All: We want to schedule the next meeting on the KCH project for

Friday, May 4<sup>th</sup> from 9:00-10:30 am in room E76-124 at FHWA

Headquarters. At the meeting, we would like to discuss the following topics:

- General Project Update since February 3<sup>rd</sup> meeting – Gloria Shepherd and Meg-Gaffney Smith
- Update on Status of EPA's Objection on CWA Section



402 permit - EPA

- Review of SEIS Timeline/Flowchart – Tom Smith and Ginger Mullins
- General Discussion and Next Steps – Tom Smith

The following logistical information is for your use:

Room has been reserved and the connection information is below

**Conference ID:** [REDACTED]

**Conference Name:** King Coal Highway

**Conference Date:** 5/4/12

**Conference Time:** 9:00 am—12:00 pm (Eastern)

**Requestor:** Jason Workman [REDACTED] Ex. 6 - Personal Privacy

**Dial-in Time:** 8:45 am

**Note: connect teleconference** [REDACTED] Ex. 6 - Personal Privacy

	Site	Connection Method	Dial-in Number
HQ	Ex. 6 - [REDACTED]	[REDACTED]	[REDACTED]
	Persona [REDACTED]	[REDACTED]	[REDACTED]
	I Privacy [REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	

Additional read-a-head materials will be provided in advance of the meeting. If you have questions, do not hesitate to contact us. We look forward to seeing you.





**Fw: King Coal mtg tomorrow w ? Bob P**

**Susan Bromm** to Cynthia Giles-AA, Steven Chester

04/30/2012 03:32 PM

This message has been replied to.

Cynthia and Steve,

Just wanted to be sure you knew about this meeting tomorrow. I have heard that Nancy Stoner and Bob S are attending with Bob P.



**Deputy Secretary Porcari at USDOT HQ re: King Coal Highway on May 1, 2012**

**Tue 05/01/2012 5:45 PM - 6:45 PM**

Attendance is for Nancy Stoner

**Chair:** **Bob Perciasepe DC USEPA US**

**Sent By:** **Teri Porterfield DC USEPA US**

**Location:** West Building entrance, adjacent to the New Jersey Avenue/M Street intersection and the Starbucks

**Required:** Bob Sussman/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA

**Description**



**Meeting with Deputy Secretary Porcari at USDOT HQ re : King Coal Highway on May 1, 2012**

**anthony.battaglia** to Rebecca\_R\_Ferdman, Teri Porterfield

04/25/2012 10:04 AM

S2Scheduling

Good Morning Rebecca/Teri--

Please accept this email as confirmation for your meeting with Deputy Secretary Porcari on May 1, 2012 at 5:45p. The meeting will take place at USDOT Headquarters and is expected to last one hour. Please enter through the West Building entrance, adjacent to the New Jersey Avenue/M Street intersection and the Starbucks. The building address can be found below in my signature block.

Upon entering, all guests should proceed to the security counter with a valid form of identification. The attendees should state that they are meeting with the Deputy Secretary and security will notify our office to send down an escort. All attendees will need to pass through a security screening very similar to airport security.

Meeting participants to include:

John Porcari (+2)  
Bob Perciasepe (+2)  
Gary Guzy (+2)

Please let me know if you have any questions leading up to the meeting.

Best,  
Anthony

Anthony J. Battaglia  
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Ex. 6 - Personal

Privacy

Personal Notes